

SUBJECT: Use of fish, game license fees when sent to deferred maintenance account

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 24 ayes — Zerwas, Longoria, Ashby, G. Bonnen, Capriglione, Cospers, S. Davis, Dean, Giddings, Gonzales, González, Howard, Koop, Miller, Muñoz, Perez, Phelan, Raney, Roberts, J. Rodriguez, Sheffield, Simmons, VanDeaver, Walle

0 nays

3 absent — Dukes, Rose, Wu

WITNESSES: For — (*Registered, but did not testify*: Monty Wynn, Texas Municipal League; Julie Acevedo, City of Dallas)

Against — None

On — Ursula Parks, Legislative Budget Board; (*Registered, but did not testify*: Michael Jensen, Texas Parks and Wildlife Department)

BACKGROUND: In 2015, the 84th Legislature created the deferred maintenance fund as an account in the general revenue fund. Government Code, sec. 2165.401 states the purpose of the fund as bringing state facilities into a better state of repair to ensure the safety of employees and visitors, the efficiency of building operations, and a long-term reduction in repair costs by addressing deferred maintenance issues. The fund consists of money appropriated, credited, or transferred to it by or at the direction of the Legislature. The fiscal 2016-17 General Appropriations Act transferred an appropriation that had been made to the Texas Parks and Wildlife Department from the state's game, fish, and water safety account to the deferred maintenance account for capital construction and maintenance at the department.

Restrictions in federal law prohibit the diversion of certain hunting and

fishing license fees for purposes other than the administration of fish and game departments.

DIGEST: HB 3537 would make funds from certain accounts related to fish and game licenses currently subject to federal restrictions continue to be spent in accordance with those restrictions if they were appropriated or transferred to the state's deferred maintenance fund.

The bill would apply to funds in the deferred maintenance fund for which the use is restricted under the federal Sport Fish Restoration Act, the federal Wildlife Restoration Act, or another federal law. The restriction would apply to funds that come from an appropriation or transfer from the game, fish, and water safety account, the lifetime license endowment account, or another fund or account.

The money deposited in the deferred maintenance fund would continue to be subject to the federal restrictions and could be used only for a function required to manage Texas' fish and wildlife resources in accordance with the federal restrictions. This also would apply to interest and other earnings from these types of funds that are credited to the account.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.